



Corres. and Mail
BOX AF

Response under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2653

AFB
ZHU

PATENT
ATTORNEY DOCKET NO.: 041514-5081

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Yoshimi TOMITA)	Confirmation No.: 4863
Application No.: 09/584,783)	Group Art Unit: 2653
Filed: June 1, 2000)	Examiner: K. Le
For: OPTICAL DISC RECORDING METHOD)	ATTN.: Mail Stop AF
AND APPARATUS, OPTICAL DISC,)	
AND OPTICAL DISC REPRODUCING)	
APPARATUS)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, **MAIL STOP AF**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

**NOTICE OF APPEAL TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 27, 2004 (Paper No. 12) finally rejecting claims 1-11. Applicant filed an Amendment Under 37 C.F.R. §1.116 on December 27, 2004, and to date no correspondence has been issued in response to this December 27, 2004 Amendment.

03/02/2005 SS1THIB1 00000005 500310 09584783
01 FC:1253 900.00 DA

03/02/2005 SS1THIB1 00000005 09584783
01 FC:1253 900.00 DA

1-WA/2348515.1

04/07/2005 LBADIE 00000003 500310 09584783
01 FC:1253 120.00 DA

03/02/2005 SS1THIB1 00000005 09584783
02 FC:1401 500.00 DA



5. Constructive Petition



Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 28, 2005

By: _____

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